

REMARKS

Claims 1 to 3, 5, 7- 12, 14-15, 22-31 are pending. Claims 1, 9, and 25 are currently amended. Reconsideration of the application is requested.

Claims 1, 2, 5, 9, 10, 12, 14, 15, 22, 24, and 28-31 stand rejected under 25 USC § 103(a) as being unpatentable over Ho et. al (US Pat. No. 6,934,028) in view of Wagman (US Pat. No. 6,798,925) (which is said to teach unique fiducial markings). Remaining claims stand rejected in further view of Bokor (US Pat. No 6,484,306) (for teaching of two inspection algorithms) and / or Dante (US Pat. No. 5,365,596) (for teaching of placing locating marks adjacent the anomalies they identify).

Applicant's claims contain features that are not taught by any combination of the references of record, and for this reason a prima facie case of obviousness cannot stand.

In the last office action response, Applicant pointed out that the concept of a first web process (to discover defects) as temporally distinct from a second web process (that marks defects) is somehow present in every claim, but is not taught or suggested in any reference of record. Examiner responded to this by concluding, without explanation, the feature simply wasn't included in the rejected claims. But the feature is plainly present in the rejected claims, and it is not merely a limitation in the specification. It is unclear to Applicant why Examiner maintains the feature is not present in the claims, thus disregarding the plain claim language eliciting the feature— applicant even included explanation of how these features were present in the claims in the last office action response.

But in an effort to advance prosecution, Applicant has amended some independent claims to make even more explicit this concept being claimed. For example, claim 1 now includes the concept of a first web handling operation, and then a second web handling operation that is temporally distinct from the first by virtue of a winding step. Ho, column 13 lines 34 -49, is continually said to show a feature similar to this, but all this cite demonstrates is the concept of re-inspection – Ho himself he even refers to what he is doing as re-inspection (line 42). In other words, no locating marks are placed as part of this second operation, as is required by Applicant's claim 1. Re-inspection simply falls well short of the teaching that is needed to show

what Applicant claims, and for this reason at least all claims are allowable over the references of record.

Claim 9 elicits the distinction between the inspection and the marking by associating either with a first and second web handling apparatus that winds the web around separate cores (i.e., if the first and second web handling apparatus were the same, they could not meet this limitation).

Claim 22 needs no amendment: it is claimed from the perspective of receiving the web in the form of a roll, and also receiving digital information about the web, then applying locating marks while unwinding the roll, using the digital information. Ho can't have this feature because, for one, Ho never marks any defect (Ho only identifies the defects – see column 13, lines 6-17), and for two, there's never any marking done based on information received about the roll.

Claim 25 makes clear that information received is from a prior, completed web inspection operation, so it is explicit that a previous web inspection operation existed.

Claim 28 is similar to claim 22 in that it needs no amendment because no reference marks based on information received, the information about a roll of material.

Regarding fiducial marks, and the claim requirement that they uniquely identify a position on the web, there is still no reference of record which teaches this feature. Examiner brought in Wagman for this teaching in the latest office action, but Wagman's fiducial marks are just as generic as the ink dots in Dante (col. 4 at line 63), the hole punches in Ho (see Fig. 9B and column 13, lines 7-16) and Korngold (see column 3, line 48). Wagman's fiducial marks may be seen in Fig. 2, element 206, which shows a rectangular mark that would continually repeat for each thing being inspected; in other words, it is not unique at all. Wagman gets no closer to having a fiducial mark uniquely identify a position on a web than any of the other references of record.

For these reasons at least, each claim distinguishes over the references of record, and should be allowed.

Note: A number of claims (for example claim 2, 3, 6, 10, 11, 24, and 28) include the notion of marking based on the contemplated end use of the web. Examiner seems to have copied the argument used in the previous office action with respect to this feature, in essence equating Ho's references to "product" to Applicant's use of the term "contemplated end use." It is not clear why Examiner is making this connection – there is no explanation that has been given for this connection, and no argument as to why Applicant was incorrect when, in the last response, he pointed out the myriad of places in Ho in which it was clear that Ho's "product" was a roll of material (i.e. not the contemplated end-use). At any rate, Applicant once again raises this point: the "product" relied upon by Examiner as an end use is simply not the end use of the web.

Applicant reproduces the footnote from the previous office action response:

*The specification of Ho, for example, has many references to the "product" that make it clear the "product" is the web itself, not the end-use product. For example: "there are no simple ways to certify or verify the actual quality of the web product." (col. 1 @ 25).*

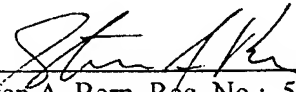
*"These web inspection systems are capable of high speed, high-resolution detection and classification of surface imperfections in continuously manufactured products at rates in excess of 500 inches per second." (col. 1 @ 40). "These defect-critical products are manufactured and sold with little more than promises and good intentions of quality,*

*certification of fitness for use, and compliance with purchase orders." (col. 2 @ 37).  
"The "Product Inspection Certificate" further assures that the correct system setup  
parameters for the particular web product being inspected are being used." (col. 2 @  
61).*

In view of the above, it is submitted that the application is in condition for allowance.

Respectfully submitted,

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